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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,275	09/24/2003	Michael Stahmer	080437.52766US	3492

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EXAMINER

ENGLE, PATRICIA LYNN

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 09/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/668,275

Applicant(s)

STAHMER ET AL.

Examiner

Patricia L Engle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/24/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding claim 4, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

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subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Barat et al. (WO 00/66387- references to line and column number refer to US 6,634,692).

Regarding claim 1, Barat et al. disclose a motor vehicle with devices (1) for holding objects and accessories, comprising: at least one multifunctional holder (16) placed in or attached to the motor vehicle; and at least one device (1) with at least one additional function mounted detachably to the at least one multifunctional holder (16).

Regarding claim 2, Barat et al. disclose the motor vehicle according to claim 1, wherein the multifunctional holder (16) is placed in an interior space (13 and title- dashboard) of one of the motor vehicle, an engine compartment, and a trunk.

Regarding claim 3, Barat et al. disclose the motor vehicle according to claim 1, wherein the multifunctional holder is provided in an interior space of the motor vehicle at one of a center console, a dashboard (13), a side molding of a door or lateral wall, and a back of a seat and wherein the multifunctional holder is concealed as an insert in a hollow space or openly visible at an outer surface (16).

Regarding claim 4, Barat et al. disclose the motor vehicle according to claim 1, wherein the at least one device is a holder for at least one of a container, such as a beverage cup, a case for glasses, glasses, writing utensils, coins, and cigarettes (column 3, lines 47-51 of the US Patent).

Regarding claim 5, Barat et al. disclose the motor vehicle according to claim 1, wherein the at least one device includes at least one electrical connection for electrically operated equipment that is held by the at least one device (column 3, lines 52-57 of the US Patent).

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Regarding claim 6, Barat et al. disclose the motor vehicle according to claim 5, wherein the electrically operated equipment is one of a laptop, palmtop, recording system, reproducing system, mobile phone, and reading lamp (column 3, lines 52-57 of the US Patent).

Regarding claim 7, Barat et al. disclose the motor vehicle according to claim 1, wherein audio equipment, an ashtray, or a garbage container is held in the at least one device (column 3, lines 47-57 of the US Patent).

Regarding claim 8, Barat et al. disclose a motor vehicle holding device, comprising a multifunctional holder (16) associated with an interior (13) of the motor vehicle; and a plurality of holding devices (1), wherein each of said plurality of holding devices (1) has a physical structure different from (Fig. 1) each of the other of the plurality of holding devices (1) and wherein the plurality of holding devices (1) are interchangeably attachable (column 1, lines 56-61 of the US Patent) to the multifunctional holder (16).

Regarding claim 9, Barat et al. disclose the motor vehicle holding device of claim 8, wherein the multifunctional holder (1) is attached to an exterior surface (30,15) of the interior (13) of the motor vehicle.

Regarding claim 10, Barat et al. disclose the motor vehicle holding device of claim 8, wherein the multifunctional holder is integrated within a structure (13) in the interior of the motor vehicle.

Regarding claim 11, Barat et al. disclose the motor vehicle holding device of claim 8, wherein each of the plurality of holding devices (1) includes a mounting section (7,8) that is detachably connectable to the multifunctional holder (16).

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Regarding claim 12, Barat et al. disclose the motor vehicle holding device of claim 11, wherein the mounting sections (7,8) are detachably connectable to an exterior surface (15,17) of the multifunctional holder (16).

Regarding claim 13, Barat et al. disclose the motor vehicle holding device of claim 11, wherein the mounting sections (7,8) are detachably connectable within an interior of the multifunctional holder (30).

Regarding claim 14, Barat et al. disclose a method for holding a device in a motor vehicle, comprising the steps of: placing a multifunctional holder (16) within an interior (13) of the motor vehicle; attaching one of a plurality of holding devices (1) to the multifunctional holder (16), wherein each of the plurality of holding devices (1) is configured to hold a device with a function that is different from each other device (Fig. 1 and column 3, lines 43-57 of the US Patent); and placing a respective device with a function into the one of the plurality holding devices attached to the multifunctional holder (column 3, lines 43-46 of the US Patent).

Regarding claim 15, Barat et al. disclose the method of claim 14, further comprising the steps of: detaching the one of the plurality of holding devices from the multifunctional holder; attaching a second of the plurality of holding devices to the multifunctional holder; and placing a second respective device with a second function into the second of the plurality of holding devices (column 1, lines 60-61 and column 2, lines 30-33 of the US Patent).

Regarding claim 16, Barat et al. disclose the method of claim 14, wherein the step of attaching one of the plurality of holding devices (1) to the multifunctional holder (16) includes the step of inserting a mounting section (7,8,12) of the one of the plurality of holding devices into the multifunctional holder (16).

Regarding claim 17, Barat et al. disclose the method of claim 14, wherein the step of attaching one of the plurality of holding devices (1) to the multifunctional holder (16) includes the step of mechanically connecting a mounting section (7,8) of the one of the plurality of holding devices (1) to the multifunctional holder (16).

Regarding claim 18, Barat et al. disclose the method of claim 14, further comprising the steps of electrically connecting (via 12) the one of the plurality of holding devices (1) to the multifunctional holder (16) and electrically connecting the respective device to the one of the plurality of holding devices (inherent).

Regarding claim 19, Barat et al. disclose the method of claim 14, wherein the step of placing the multifunctional holder (16) within the interior of the motor vehicle includes the step of attaching the multifunctional holder (16, 18) to an exterior surface (19) of the interior of the motor vehicle.

Regarding claim 20, Barat et al. disclose the method of claim 14, wherein the step of placing the multifunctional holder (18) within the interior of the motor vehicle includes the step of integrating (Fig. 2) the multifunctional holder (18) within a structure in the interior of the motor vehicle.

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art discloses other multifunctional holders for vehicles.


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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L Engle whose telephone number is (703) 306-5777.

The examiner can normally be reached on Monday - Friday from 8:00 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patricia L Engle  
Examiner  
Art Unit 3612

ple  
August 30, 2004